



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

October 15, 1999

Thomas J. Kowalski, Esq  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York New York 10151

OCT 15 1999

In re applicant: Jonathan R. Lamb et al  
Serial No. 09/310,685  
Filing Date : 05/04/99  
For : Notch : Denial of Refund

We regret to inform you that your request for refund dated August 30, 1999, request fifty percent of all fees previously paid cannot be authorized. Please refer to the box checked below for more information.

- ( ) Small entity status fee not refundable. The time has expired for refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for refund of the excess amount are filed within two months of timely payment of the full fee (37 CFR 1.28).
- ( ) Application or petition fee not refundable. Money paid by actual mistake or in excess, such as payment not required by law, will be refunded; a mere change of purpose after payment of money, as when a party desires to withdrawn an application, an appeal or a request for oral hearing does not entitle the party to refund (37CFR 1.26). If any application is filed without the specification or drawing and the omission is not corrected with the period set, the application will be returned or otherwise disposed of. The fee, if submitted should include the \$130.00 handling fee (37CFR 1.53)
- (X) Other: No refund is due. A review of the applications is showing that the correct filing fee was applied at the time of filing. See attach Notice of filing/Claim Fee(s) Due.

Any inquiry regarding this letter should be addressed to Margaret Stevens on 703-305-3608 or FAX 703-308-7922

  
Margaret W. Stevens  
Supervisory Legal Instrument Examiner  
Technology Center 1600/2900